

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AUTHORS GUILD, et al., :
Plaintiff, : 23-cv-8292 (SHS) (OTW)
-against- : And the Consolidated Cases:
OPENAI INC., et al., : 23-cv-10211 (SHS) (OTW)
Defendants. : 24-cv-84 (SHS) (OTW)
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ORDER

THE NEW YORK TIMES COMPANY., :
Plaintiff, : 23-cv-11195 (SHS) (OTW)
-against- :
MICROSOFT CORPORATION, et al., : **ORDER**
Defendants. :
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DAILY NEWS, LP, et al., :
Plaintiff, : 24-cv-3285 (SHS) (OTW)
-against- :
MICROSOFT CORPORATION, et al., : **ORDER**
Defendants. :
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THE CENTER FOR INVESTIGATIVE REPORTING, :
INC., :
Plaintiff, : 24-cv-4872 (SHS) (OTW)
: -against-
OPENAI, INC., et al., : ORDER
Defendants. :
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ONA T. WANG, United States Magistrate Judge:

The Court held a status conference on these matters on September 12, 2024, and rules as follows:

- I. **Authors Guild, et al. v. OpenAI Inc., et al. No. 23-cv-8292 and consolidated cases.**
 - A. Plaintiffs' letter motion to compel at ECF 78 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the Court of any progress made on this issue.
 - B. Plaintiffs' letter motion to compel at ECF 106 is **GRANTED in part**. Defendant OpenAI is directed to produce the responses to FTC interrogatories Nos. 15-21 as identified in Plaintiffs' letter motion. Plaintiffs' letter motion is **DENIED as moot in all other respects**. Plaintiffs' letter motion to compel at ECF 143 is also **DENIED as moot**.
 - C. Plaintiffs' letter motion at ECF 138 is **DENIED as moot**.
 - D. Plaintiffs' letter motion for bi-weekly status conferences at ECF 147 is **DENIED without prejudice**.
 - E. Defendant's letter motion to compel at ECF 164 is **DENIED as moot**.

F. Plaintiffs' letter motion to compel at ECF 168 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the Court of the progress made on this issue.

G. Defendants' letter motion for an extension of time for fact discovery at ECF 180 is **GRANTED**. The interim fact discovery deadline is hereby extended to **December 20, 2024**.

H. Plaintiffs' letter motion to compel at ECF 193 is **DENIED**. Defendant OpenAI is directed to preserve and segregate all documents that are held by the listed custodians raised in Plaintiffs' letter motion.

II. **The New York Times Co. v. Microsoft Corp. et al., 23-cv-11195.**

A. Plaintiff's letter motion for bi-monthly status conferences at ECF 117 is **DENIED without prejudice**.

B. Defendant's letter motion to compel at ECF 124 is **DENIED**.

C. Plaintiff's letter motion to compel at ECF 128 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the court of the progress made on this issue.

D. Defendants' conditional cross-motion at ECF 131 is **GRANTED in part**. The interim fact discovery deadline is hereby extended to **December 20, 2024**. Defendants' cross-motion is **DENIED** in all other respects.

- E. Plaintiff's letter motion to compel at ECF 141 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the court of the progress made on this issue.
- F. Defendants' motion to consolidate this action, *The New York Times Co. v. Microsoft Corp. et al.*, No. 23-cv-11195, with *Daily News et al. v. Microsoft Corp. et al.*, No. 24-cv-3285 at ECF 142 is **GRANTED** for the reasons stated on the record.
- G. Defendants' letter motion for oral argument at ECF 146 is **DENIED as moot**.
- H. Defendant's letter motion to compel at ECF 152 is **DENIED** with respect to RFPs 10, 11, and 12. Defendant's letter motion is also **DENIED without prejudice to renewal** with respect to correspondence and applications to the U.S. Copyright Office after OpenAI has first completed its own production re: LLM training.
- I. Plaintiff's letter motion to compel at ECF 204 is **DENIED**. Defendant OpenAI is directed to preserve and segregate all documents that are held by the listed custodians raised in Plaintiffs' letter motion.
- J. Plaintiff's letter motion to compel at ECF 221 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the court of the progress made on this issue.
- K. Plaintiff's letter motion to compel at ECF 228 is **DENIED**. The parties are directed to meet and confer by **September 20, 2024**, and file a joint status letter on the docket apprising the court of the progress made on this issue.

L. Defendant's letter motion for an extension of time at ECF 235 is **GRANTED**. The interim fact discovery deadline is hereby extended to **December 20, 2024**.

III. **Daily News, LP, et al. v. Microsoft Corp., et al., 24-cv-3285.**

A. Plaintiffs' letter motion at ECF 135 is **DENIED as moot**.

IV. **Basbanes et al. v. Microsoft Corp. et al., 24-cv-84.**

A. The parties are directed to file a joint stipulation, if possible, by **September 27, 2024**, regarding the potential dismissal of certain claims.

B. The case is hereby **STAYED** until **September 27, 2024**.

V. **Center for Investigative Reporting, Inc. v. OpenAI, Inc. et al., 24-cv-4872.**

A. The parties' Rule 16 conference will be held at/with the **October 30, 2024** status conference. The parties are directed to file their Rule 26(f) report by **Wednesday, October 16, 2024**.

All joint status letters are due **September 27, 2024**, unless otherwise directed at the conference, and shall be filed in their respective dockets only.

The Court will hold an **Omnibus In-Person Status Conference for all cases on Wednesday, October 30, 2024 at 9:30 a.m.** in Courtroom 20D, 500 Pearl Street, New York, NY 10007. The parties are directed to file respective joint agendas by **Wednesday, October 16, 2024.**

SO ORDERED.

Dated: September 13, 2024
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge